Republic of the Philippines

House of Representatives

Quezon City, Metro Manila

Nineteenth Congress
Third Regular Session

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HOUSE BILL NO. **11378**

Introduced by Representative LORDAN G. SUAN

AN ACT
REORGANIZING THE NATIONAL COUNCIL ON DISABILITY AFFAIRS INTO THE NATIONAL COMMISSION ON DISABILITY AFFAIRS, DEFINING ITS POWER AND FUNCTIONS, APPROPRIATING FUNDS THERFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Differently abled persons are vital members of our nation, contributing significantly to society in their own unique ways. Despite the challenges they face in their daily lives, they strive to survive and contribute to the economy. Recognizing their valuable contributions, it is imperative for our country to provide them with all possible assistance to alleviate their burdens.

In 1978, the first significant step towards assisting differently abled persons was taken with the issuance of Presidential Decree No. 1509, which established the National Commission Concerning Disabled Persons (NCCDP). As the needs of differently abled persons changed over time, the NCCDP underwent several transformations. On July 22, 1987, Executive Order No. 232 reorganized the NCCDP into the National Council for the Welfare of Disabled Persons (NCWDP). Subsequently, on February 28, 2008, Executive Order No. 709 renamed the NCWDP as the National Council on Disability Affairs, placing it under the Office of the President.

Over time, the needs and concerns of differently abled persons have continued to shift and expand. It is therefore timely to amend the current structure of the

government agency responsible for developing policies and coordinating services for differently abled persons to better address these ever-changing needs.

To demonstrate our genuine concern for the welfare of differently abled persons, this bill seeks to reorganize the National Council on Disability Affairs into a National Commission on Disability Affairs. This proposal comes after consultations with my PWD constituents and aims to translate their voices into meaningful actions. Under the new structure, representatives from key government agencies crucial to the welfare of differently abled persons — including the Department of Health, Department of Social Welfare and Development, Department of Education, Technical Education and Skills Development Authority, and Commission on Higher Education—will serve as members. This collaborative approach will enable the development of more effective and comprehensive solutions for the benefit of differently abled persons.

With the establishment of this commission, we will enhance our outreach to differently abled persons and ensure better oversight of the Persons with Disability Affairs Office established by local government units. This initiative promises to improve data collection essential for servicing differently abled persons and facilitate the formulation of policies to enhance their quality of life. By taking these steps, we reaffirm our commitment to ensuring that differently abled persons have the opportunity to live fulfilling lives in our society.

In light of the preceding, this bill's approval is fervently sought.

LORDAN G. SUAN
Cagayan de Oro City – 1st District

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. ***Short Title*.** – This Act shall be known as the "*National Commission on Disability Affairs Act*."

SEC. 2. *Declaration of Policy*. – The State recognizes that persons with disabilities are part of Philippine society and are thus entitled to the same rights as other people. It is hereby declared the policy of the State to support, protect, and promote the rights of persons with disabilities. Towards this end, the State shall establish a National Commission on Disability Affairs to formulate policies and coordinate activities for persons with disabilities.

SEC. 3. *National Commission on Disability Affairs.* – There is hereby created a National Commission on Disability Affairs, hereinafter referred to as the Commission. It shall be attached to the Office of the President.

SEC. 4. *Mandate.* – The Commission shall be the national government agency to formulate policies and coordinate activities of all agencies, whether public or private, concerning disability issues and concerns. It shall be the lead

agency tasked to steer the course of program development for persons with disabilities and the delivery of services to the sector.

SEC. 5. ***Power and Functions*****. –** The Commission shall exercise the following powers and functions to carry out its mandate:

(a) Prepare and adopt an integrated and comprehensive long-term National Rehabilitation Plan, which will ensure the formulation and implementation of programs and projects to promote the rehabilitation self-reliance, and development of persons with disabilities;

(b) Conduct consultative meetings and prepare symposia with all stakeholders, and undertake program evaluation and monitoring to ensure that comprehensive, relevant and timely programs and services are adequate and accessible to persons with disabilities;

(c) Identify and immediately address gaps in the implementation of programs and laws benefitting persons with disabilities, especially the Magna Carta for Disabled persons, as amended;

(d) Formulate strategic interventions and provide an expeditious response to address the immediate concerns of persons with disabilities;

(e) Propose new policies and new legislation, or amendments to existing ones, that will ensure the attainment of its objectives;

(f) Act as overall coordinating body to rationalize the functions and activities of government agencies, private identities, and international organizations operating in the Philippines, and the enforcement of laws related to and affecting persons with disabilities;

(g) Establish, develop, and maintain a data bank on disabilities in partnership with concerned government agencies and non-government organizations and strengthen the referral services to ensure availability of data to stakeholders and services to persons with disabilities including provision of assistive devices;

(h) Act as a national consultative and advisory body to the President on matters within its competence;

(i) Facilitate the conduct of fund-raising activities and formulate innovative schemes to ensure funding support for major activities for the sector;

(j) Educate and reorient the general public in its attitude and thinking with regards to persons with disabilities;

(k) Submit quarterly reports to the Congress.

SEC. 6. ***Composition.*** **–** The Commission shall be composed of the following members:

(a) A Chairperson who shall be appointed by the President;

(b) The Secretaries of the following Departments who shall sit in the Commission as ex-officio members: Department of Health (DOH), Department of Social Welfare and Development (DSWD), Department of Education (DepEd), Technical Education and Skills Development Authority (TESDA), and Commission on Higher Education (CHED)

The Secretaries mentioned are authorized to designate an Undersecretary to represent them.

(c) Private sector representatives selected from the following sectors:
(1) Learning Disabilities;
(2) Intellectual Disabilities;
(3) Hearing Impairment;
(4) Visual Impairment;
(5) Physical and Mobility Impairments;
(6) Emotional / Behavioral Disorder;
(7) Multi-Handicaps;
(8) Pervasive Development Disorders.

The incumbent members of the Commission, however, shall continue in office unless replaced or removed from office by the President.

SEC. 7. ***Chairperson.*** **–** The Chairperson who shall be appointed by the President, shall have the following duties and responsibilities:
(a) Call and preside over the meetings of the Commission;
(b) Manage and administer the affairs of the Commission;
(c) Monitor the implementation of policies approved by the Commission;

(d) Sign communications for the Commission and represent the Commission whenever necessary;
(e) Solicit and accept, on behalf of the Commission, gifts, grants, or donations in accordance with government rules, regulations and policies;
(f) Execute contracts in the pursuit of the Commission's objectives as may be authorized by the Commission, in accordance with government rules and regulations; and
(g) Organize permanent or ad-hoc committees, consisting of members of the Commission or such other experts as are deemed necessary for the discharge of the functions and objectives of the Commission.

SEC. 8. ***Executive Director.*** – The Chairperson shall be assisted by an Executive Director, who shall be appointed by the Chairperson. The Executive Director shall have the following duties and responsibilities:

(a) Administer the affairs of the Commission;
(b) Implement policies, plans, and programs approved by the Commission;
(c) Exercise direct supervision and control over all the organizational units placed under his/her jurisdiction including recommending to the Chairperson the appointment of personnel of the Commission and disciplinary actions as may be necessary for the effective management of the Commission;
(d) Represent the Commission in administrative and legislative bodies and in conferences and seminars that require participation of the Commission;
(e) Prepare and submit to the Commission the annual report on the operations of the Commission and such other reports as may be required by the Commission; and
(f) Perform such other functions as may be provided by law.

SEC. 9. Deputy Executive Directors. – The Executive Director shall be assisted by two Deputies: a Deputy Executive Director for Administration and a Deputy Executive for Operations. The Deputy Executive Directors shall be appointed by the Chairperson.

SEC.10. QUALIFICATIONS. – No person shall be appointed Chairperson, Executive Director, or Executive Director of the Commission unless he or she is a citizen and resident of the Philippines, of good moral character, of proven integrity, and with at least seven (7) years of

competence and expertise in delivering service to persons with disabilities.

SEC. 11. Regional Directors. – The Commission shall have one Regional Director for every region who shall supervise the official activities of all provinces, cities, and municipalities under the jurisdiction of the concerned region. He/she shall be the primary coordinating and overseeing authority over the Person with Disability Affairs Office (PDAO) established by local government units (LGUs). The Regional Director may be assisted by one (1) Assistant Regional Director. The Regional Director shall have, with their respective administrative regions, the following functions:

(a) Implement laws, policies, plans, programs, projects, rules, and regulations of the Commission;
(b) Provide efficient and effective service to the people;
(c) Coordinate with regional offices of other departments, offices, and agencies;
(d) Coordinate with the LGUs and their PDAOs; and
(e) Perform such other functions as may be provided by law or assigned by the Chairperson.

SEC. 12. Sectoral and Industry Task Forces. – The Commission mat create the sectoral and industry task forces, technical working groups, advisory bodies, or committees for the furtherance of its objectives. Additional private sector representatives, such as from the academe, civil society organizations, and federation of private industries directly involved with persons with disabilities, as well as representatives of other LGUs and government-owned-and-controlled-corporations (GOCCs) may be appointed to these working groups. Government disability affairs professionals may be tapped to partake in the work of the Commission through these working groups.

SEC. 13. Structure and Staffing Pattern. – Subject to the approval of the Department of Budget and Management (DBM), the Commission shall determine it organizational structure and create new divisions or units as it may deem necessary, and shall appoint officers and employees of the Commission in accordance with the civil service law, rules, and regulations.

SEC. 14. Implementing Rules and Regulations. – Within sixty (60) days from the effectivity of this Act, The National Council on Disability Affairs (NCDA), Department of Budget and Management (DBM) and other relevant

government agencies, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 15. Appropriations. – The fund needed to initially implement this Act shall be included in the current fiscal year's appropriation of National Council on Disability Affairs. Thereafter, the amount needed for the operation and maintenance of the Commission shall be included in the General Appropriations Act.

SEC. 16. Separability Clause. – Should any provision here in be declared unconstitutional, the same shall not affect the validity of the other provisions of this Act.

SEC. 17. Repealing Clause. – All laws, decrees, orders, rules, and regulations or other issuances or parts inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 18. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette of in any two (2) newspapers of general circulation in the Philippines

Approved,